

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

(al-1316)

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DIOCELYN BATISTA,

Plaintiff,

-against-

IRON MOUNTAIN INFORMATION MANAGEMENT  
SERVICES, INC. and ROBERT E. GOINS,

Defendants.  
-----X

Civil Action No.:  
7:18-cv-07681-CM

NOTICE OF MOTION

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 9/27/2022

**MOTION BY:** Defendant Iron Mountain Information Management Services, Inc. and Robert E. Goins

**SUPPORTING PAPERS:** Declaration in Support of Defendants' Motion in Limine, dated May 6, 2022, all exhibits annexed thereto; supporting Memorandum of Law; and all prior pleadings and proceedings heretofore had herein.

**RETURN DATE, TIME AND PLACE:** At the United States District Court, Southern District of New York, at the Courthouse thereof, located at: 500 Pearl Street, New York, New York 10007-2550 before The Honorable Judge McMahon on a date to be determined by the Court.

**RELIEF SOUGHT:** An Order pursuant to Federal Rules of Evidence, Federal Rules of Civil Procedure, and Local Rule 7.1, precluding plaintiff from introducing medical records at trial; and granting such other and further relief as this Court may deem just and proper.

**ANSWERING PAPERS:** Pursuant to the Judge's Rules, answering papers, if any, are required to be served within five (5) days of this filing.

MEMO ENDORSED

9/26/2022  
The motion is DENIED.  
Defendant plans to rely on  
plaintiff's medical records and they  
has not suggested what they  
were on behalf of during the  
discovery. Of course the  
memo of records may  
contain hearsay and  
both parties need to  
be prepared to  
make appropriate  
rebuttal

Respectfully submitted,  
SIMMONS JANNACE DELUCA, LLP

By:

Ar

Allison C. Leibowitz

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